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 **MERITAS LAW FIRMS WORLDWIDE**

December 8, 2003

PERSONAL & CONFIDENTIAL

Honorable Judge Patricia D. Gardner
Kent County Circuit Court
Kent County Courthouse
180 Ottawa Avenue, N.W.
Grand Rapids, MI 49503

Re: Ryans v McGinn-Loomis and Benedict
U.S. District Court Case No. 1:03-CV-0439

Dear Judge Gardner:

I am writing to you in my capacity as attorney for the plaintiffs in the above captioned matter. As you may know, that case is currently pending in the federal district court for the Western District of Michigan and has been assigned to Judge McKeague. Judge McKeague has ordered that by February 1, 2004 the parties must complete discovery on the issue of whether the defendants acted under color of state law in initiating and prosecuting the underlying action. I anticipate that it will be necessary for me to take your deposition on that issue. I expect that I will not need more than two (2) hours, and probably less.

I am requesting that you provide me date(s) on which you would be available for the deposition. I assume that your deposition will take place in our office. However, if you prefer a different location, I will be happy to accommodate you.

MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C.

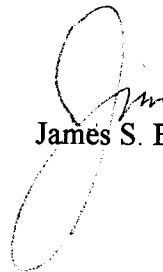
Honorable Judge Patricia D. Gardner
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Thank you for your anticipated cooperation.

Sincerely,

MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C.

By



James S. Brady

JSB/kar